THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.16527 OF 2005

Dated: 27-12-2005

Between

Gubbala Rama Rao, Ex-President,

Palangi Primary Agricultural Cooperative

Society Limited, Undrajavaram Mandalam,

West Godavari District.

...PETITIONER

AND

The Joint Registrar/District Coop

Officer, West Godavari District

and others.

...RESPONDENTS

ORDER:

Though the petitioner challenges the validity of the inspection report dated 10.11.2004 under Section 52(1) of the Andhra Pradesh Cooperative Societies Act, 1964 (for short 'the Act'), the surcharge proceedings have been passed under Section 60(1) of the Act, which is appealable under Section 76 of the Act to the Cooperative Tribunal. The petitioner is entitled to raise all the questions and objections with regard to the validity of the inspection report as well as the surcharge proceedings before the appellate authority under Section 76 of the Act.

In view of the alternative remedy of right of appeal available to the petitioner under Section

76 of the Act, the writ petition is dismissed with a liberty to the petitioner to file an appeal.

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V. ESWARAIAH, J

December 27, 2005

DSK